

REMARKS

Claims 1-5 currently appear in this application. Claims 2-5 have been withdrawn. The Office Action of May 20, 2008, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Election/Restriction

It is noted that the restriction requirement has been made final, and that claims 2-5 have been withdrawn.

Art Rejections

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Motoyuki et al., *Biosc. Biotech. Biochem.* **61(2)**: 443-445 (1997).

This rejection is respectfully traversed. Claim 1 has been amended to recite that, after the extract has been concentrated to give a residual alcohol concentration of 2 v/v% or less, the concentrate is further purified by centrifuging and/or filtering to produce a transparent liquid, and then purifying the resulting liquid with a synthetic gel type adsorbent. Support for this amendment can be found in the specification as filed at page

3, line 11 through page 4, line 13. Example 1 illustrates the purifying process used for the hop bract polyphenols, which is obtained as an odorless brown powder having a faint bitter taste.

Comparison Example 1 illustrates a conventional method for obtaining the hop bract extract. Comparison Example 3 shows that the amount of polyphenol obtained in Example 1 was greater than the amount obtained by Comparison Example 1. Additionally, the inhibition effect on insoluble glucan-producing enzymes of dental caries bacteria of the polyphenols was higher than that in Comparison Example 1, as shown in the specification as filed at page 10, lines 12-33.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kriesl, DE 1939350.


This rejection is respectfully traversed. There is nothing in Kriesl about the purification recited in amended claim 1. As noted above, it has been demonstrated that the hop bract extract obtained by the presently claimed method is unexpectedly superior to hop bract extract obtained without the herein claimed centrifuging and/or filtering and purifying the resulting liquid with a synthetic adsorbent of a gel type, as described in Kriesl.

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In view of the above, it is respectfully submitted
that the claims are now in condition for allowance, and favorable
action thereon is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By 

Anne M. Kornbau
Registration No. 25,884

AMK:nlw
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528